

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
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**CALIFORNIA CODE ADOPTION
Core Committee Conference Call
November 1, 2005, 10:30 a.m.
Meeting Notes**

Participants:

Wes Arvin, FPO
Laura Blaul, FPO
David Casey, DSA
Jim Dias, FDAC
Leslie Haberek, ICC
Don Harris, OSHPD
Doug Hensel, HCD
Steve Ikkanda, CALBO
Christina Jamison, FPO
Steve Kiefer, CALBO

Joe Kirkpatrick, Co-Chair, R-1, 2, 3, 6
Kent Miller, H Occupancy
Lorin Neyer, OSHPD
Sia Poursabastian, Special Occ. (Ch. 4)
Kevin Reinertson, HCD
Buster Scholl, Calbo
Kevin Scott, H Occupancy
Rick Terry, FPO
Stuart Tom, CALBO
Doug Williams, Cal Chiefs

CDF/SFM Staff:

Ruben Grijalva, State Fire Marshal
Hugh Council
Dan Najera

The Office of the State Fire Marshal (OSFM) conducted the fourth conference call meeting to discuss updates and current issues/concerns. The workgroup leaders had been invited to join this conference call.

Code Adoption Process Reminder: Chief Grijalva offered a reminder of the process: The workgroups are submitting their recommendations to the Core Committee; the Core Committee will be submitting their recommendations to the OSFM. These recommendations are needed by OSFM one month in advance of the date due to the Building Standards Commission (BSC). The OSFM will then review and decide to accept or reject those recommendations during the development of the final package. Chief Grijalva has committed to providing all necessary OSFM staff to accommodate the preparation of this final package to be presented to the BSC.

The Core Committee was reminded of the importance of submitting their workgroup meeting notices and meeting minutes to Dan Najera for posting on the OSFM website.

Approval of Minutes:

Don Harris asked for clarification of Item No. 4 in the 10/18/05 minutes regarding to the discussion of the Special Occupancies, Chapter 4A Workgroup. It was noted that the workgroup is only to review OSFM-adopted provisions in Chapter 4A and not OSHPD-adopted items. Not included in the list was 415A, which is the residentially-based licensed facilities (specifically R-2.11 and R-2.21 occupancies), with bedridden clients in the CBC. Rick Terry responded that those issues will be addressed by the R-2, 6 Occupancy Workgroup.

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Progress Reports from Workgroup Leaders:

Chief Grijalva asked the workgroup leaders to include in their progress reports the number of members in the group and representation (building officials/fire officials and industry). Steve Kiefer also asked that the reports include coordination, if any, with other groups (i.e., Northern California with Southern California R Occupancies).

R-1, 2, 3, 6 Occupancy Workgroup: Joe Kirkpatrick, Co-Chair for R-1, 2, 3, 6 Occupancies, Southern California, stated that the first meeting was held October 12, 2005, in which ground rules of how the group would proceed as well as work assignments were discussed. The amendments and code issues in need of review were identified; the Co-Chair then asked the fire official representatives to examine the amendments and the building officials to study the code issues. During the next meeting the group will review and discuss the definitions and the positions to be taken and how to proceed. The group includes two industry representatives and approximately 15 members in the group. The Southern California group is studying R-1 and R-3 Occupancies; the Northern California group is examining R-2 and R-6. The recommendations will be reviewed by the two groups for input. Three follow-up meetings have been scheduled.

A Occupancy Workgroup: Ian MacDonald, Co-Chair for the A Occupancy, reported there are approximately 24 members; of those, there is approximately a 2-1 ratio (16 in the South, 8 in the North). Also, there are approximately 6 industry representatives. There have been two face-to-face meetings; a third meeting will be held on Thursday via teleconference, with a workgroup meeting in the North on November 17th. The group discussed the philosophy of the group and the need to not only be cohesive as far as fire and building officials, but to be one group and not split between North and South. The majority of Chapter 3 has been reviewed regarding specific occupancies. Due to the occupancy groups changing dramatically from the Uniform Code family to the International Code family, the group assigned research topics to resolve at the second meeting. During the next meeting on November 3rd, the group will be discussing meeting frequency and number of meetings needed to cover the material. The group identified the need for a workgroup leader and co-chairs at the end of the meetings to discuss Chapter 10 requirements. Therefore, he plans, as Co-Chair, to review Chapter 10 with the entire workgroup and reach a consensus; he will then present that recommendation to the Core Committee.

Ian noted that he has also been involved with B Occupancy workgroup meetings and commented that a lot of effort and time has been spent reviewing the B Occupancy concerns; an occupancy group that seems to be one of the simplest occupancy groups to analyze. Considering the additional need to review Chapter 10, he asked who is handling the other general provisions of the code (the whole spectrum of the occupancies [i.e., Chapter 1, administrative and definitions, Chapter 5, 7, 8, 9, 13, 14]), or are these expectations of the workgroups. Dan Najera responded that he has had preliminary discussions with Kate Dargan regarding these items; they have not gone unnoticed. It is felt that some of this could be completed in-house at the SFM. The Administrative Chapter had been previously discussed and the original suggestion was that the SFM would do this in-house, as those are typically provisions used within the SFM; however, then the decision was made that we will add building and fire officials to this work group. Therefore, names will be needed to include in this Administrative Chapter workgroup. Additionally, if there are provisions in the Chapters that could affect your occupancy classification, they should be considered by each workgroup.

Ian expressed his concern for potential duplication of effort by each group. There was consensus that the key is to consider the general requirements as they apply to each workgroup's occupancies. Ian plans to include identifying all the code material in need of review by the workgroup. So far, with the code that has been covered, the deadline may prohibit all that needs to be studied with the quality needed within the time permitted. Chief Grijalva suggested that issues should be prioritized to identify the needs that will have significant fire and life safety issues and be addressed with the initial adoption; others can be considered during the process of future amendments.

As an example, Ian stated that upon reviewing roof framing, typically, this would not have been a prominent issue, however, upon review of the IBC and CBC, it was discovered that in the International Code, as long as the structural members for the roof are over 20 feet from the floor, they don't need to be protected and there can be a concealed space over an A Occupancy without sprinkler or structural protection. He offered this as an example to show that, although this may not be an issue that surfaces easily, upon careful study there may be some substantial issues that need attention.

Leslie Haberek commented that neither code really tells an occupancy story as a whole; it is based on practical experience by the user. In other words, there are many general provisions that interlink, not specifically to an occupancy, but are there as an expectation.

Ian added that another concern of the A Occupancy workgroup is that there is no Co-Chair on the building side. Through discussions at the workgroup meetings, it has been found that the building officials and the fire officials work very well together in this effort and there is someone from the fire side who would be willing to step up as Co-Chair. From an outside standpoint, having two fire officials may not provide a good appearance to those that are not a part of the workgroup and wouldn't understand the cohesive working relationship. With that in mind, Ian is reminding the Core Committee that a Co-Chair is really needed from the building side. Chief Grijalva added that he has also received comments from the Core Committee regarding this issue and suggested that, while recognizing the large amount of work to be completed, the request for a Co-Chair from the building side be made while continuing the task at hand, and to note this concern and request in their minutes. Stuart Tom also noted that the workgroups are submitting their products to the Core Committee, which has a good balance of participants between building and fire, for their review.

Sia Poursabahian (Co-Chair for Special Occupancy [Chapter 4] Workgroup) was asked for his current involvement with the A Occupancy Group. If needed, he would agree to try to serve as Co-Chair of the A Occupancy Group, along with the Special Occupancy Workgroup. After further discussion, Steve Ikkanda interjected that Los Angeles City would continue to participate in the A Occupancy work group and the topic of leadership from the building side could be discussed further during the next A Occupancy group teleconference to ascertain whether Los Angeles City could offer a Co-Chair.

Special Occupancy (Chapter 4) Workgroup: Co-Chair Sia Poursabahian stated that the group met on September 28th; the next meeting will be November 2nd in Orange County in which they will work at finalizing the amendment and begin working with the Nine-Point Criteria. The group has 23 assigned members; the September meeting was attended by 10 members. There are three industry representatives in the group.

H-4, 5, 8 Occupancy: Kent Miller (North) reported there are 11 members on the H-8, 12 members on H-5, and 8 members on the H-4. Face-to-face meetings were held on October 7th, 13th and 25th.

The H-8 Workgroup will have their first final draft due by November 15th. The Nine-Point Criteria will be discussed on November 15th. The final should be completed around the second week of December.

Kent explained that the H-8 Workgroup is considering placing the H-8 as an Appendix to the Code, relating to existing (not necessarily new buildings), and asked for any feedback from the Core Committee. Hearing no objection from the Core Committee, the group will proceed with this plan.

The H-5 Workgroup is having weekly conversations and meetings every 1½ weeks. The next meeting will be held on November 3rd in Palo Alto. The final draft should also be completed by November 15th, which is the requested deadline for a final draft by all of the H Workgroups.

The H-4 Workgroup also will have the final draft completed by November 15th and they will be reviewing H-4 and H-5 during the joint meeting on November 15th, along with the H-8. The H-4 is also reviewing the Nine-Point Criteria language.

Therefore, the work of H-4, 5 and 8 Workgroups should be completed with their work by the first or second week of December, 2005.

The H Workgroup (South) is working on the H-1, 2 and 3 Occupancies. An update was not available.

B Occupancy Workgroup: Christina Jamison reported that the group of approximately 12 met on October 28th and was the first time the whole B Occupancy Workgroup met. There had been proposed amendments circulated and items to discuss such as the development of a model for the Nine-Point Criteria, Initial Statement of Reasons (ISOR), the Express Terms and Statement of Economic Interest (Form 399) for their workgroups. With this, Leslie Haberek and Stan Nishimura had been invited to their October 28th meeting.

Christina stated that it is her understanding that the Nine-Point Criteria is not due to the BSC until after the 45-day public comment period and is also the one document that supports the package in its entirety, as does the ISOR. Therefore, she questioned the direction to the workgroups to prepare the Nine-Point Criteria or the ISOR. She recognizes that a specific purpose and rationale is needed for each amendment, but the answers to the questions on those documents refer to the package as a whole. She suggested that the Core Committee put together those documents and develop a worksheet for the workgroups to answer some of specific questions (i.e., purpose, rationale and cost) of the amendments.

Stuart Tom added that he recognizes the amount of work involved in answering the questions or the ISOR is quite involved. He agreed that the workgroups need to understand what is expected and need to be done in the order to which Stan and Leslie recommended. Chief Grijalva responded that he is looking for comments from the Core Committee and will work by their direction. Dan Najera added that his only concern might be that, if the Core Committee is not provided that information from the workgroups, they may be guessing at some of the answers.

Leslie explained that the purpose and rationale statements are effectively an informational digest. Once the purpose and rationale are identified, the State agency can build the one document, which is the ISOR, and explain the reasons why the amendments are necessary, reasonable and can identify the benefits. Then the Form 399 needs to be considered, which includes the fiscal and economic impact (in which everyone in these workgroups has a practical working knowledge, especially the industry). Sharing these numbers allows for the ability to better make those justifications and fiscal analysis, which has to be submitted at the same time as the package. The OSFM has some very good examples of other successful packages, including the ISOR, and could be used as a guideline and are available on the website.

Leslie Haberek clarified that the purpose and rationale needs to be submitted for each amendment. Therefore, Stuart Tom stressed that every workgroup should be focusing on the preparation of this information for each amendment.

Kent Miller noted that his group has narrowed down their review to just a few of the most important amendments, noting the need for a purpose and rationale statement for each. His group is also putting together a second list of the next most important items or amendments needed for the next code change cycle.

Chief Grijalva noted that Kate Dargan has asked for a meeting with the Core Committee Co-Chairs, plus Dan and Leslie, to meet for half a day in Sacramento within the next two weeks and this matter may be resolved at that time.

Rick Terry stressed that, when it comes to preparing the formal documents to be presented to the BSC, the OSFM is the lead and could possibly provide "boiler plates" for the different workgroups to be able to provide specifics on their amendments.

R Occupancy Workgroup: Rick Terry stated that the North group is focusing on the R-2 and R-6 Occupancies, but it appears after discussion with Joe Garcia, that this group may be bleeding over into the I-1 Occupancy. Rick's last discussion with Joe indicated his intention to begin merging with Rick's workgroup. Rick announced that the workgroup has studied the different R-2 Occupancy classifications (R-2 and R-6) and have looked at grouping them into three occupancy classifications, tentatively considering as an R-4.1, 4.2 and 4.3. For example, the 4.1 would include residential care facilities, residentially-based accommodating more than six bedridden non-ambulatory or ambulatory clients with all of the associated licensing classification; the R-4.2 would be more than six ambulatory clients but may contain six non-ambulatories; and the R-4.3 would be the generally the less than six facilities with bedridden non-ambulatory and ambulatory clients.

Rick further explained that the workgroup has completed a matrix to compare construction type, area, fire protection systems, exit enclosures, smoke barriers, etc.

Rick noted that upcoming meetings are scheduled for November 3rd, 10th and also have three dates (on Thursdays) proposed in December. Three representatives from industry have been notified by email of the future meeting dates and locations of the R Occupancy North workgroup.

Core Committee Discussion:

Status of Request for Metro Chiefs Participation: Chief Grijalva reported that he has not received a response from his email request sent to Chief Bamattre.

ACTION ITEM: Chief Grijalva will resend the email and include a courtesy copy to the other Metro Chiefs. Laura Blaul will email the addresses of the Metro Chiefs to Chief Grijalva for his use.

Statutory Requirements Posted on OSFM Website: As a reminder, Dan Najera stated that the workgroups need not include in their studies any of the statutory requirements posted on the OSFM website. This list is a result of his last direction from Stan Nishimura (BSC) to which all those statutory revisions will not be included in the next building code. If it is a repeat of the Health and Safety Code, it will not be included because it would be a duplication issue and violate the Nine-Point Criteria.

ACTION ITEM: Dan Najera will follow up with Stan Nishimura to ascertain if this is still the direction by the BSC. In the interim, Dan asked that the workgroups not be concerned with these, considering if these do need to be included, it would only involve identifying their correct placement. Steve Ikkanda cautioned that some of the requirements included in the statutory list deal with definitions of terms and, therefore, would be needed.

To understand the process, it was noted that if the OSFM includes the statutory requirements in the package submitted to the BSC, Stan Nishimura could not unilaterally reject it, but rather would require action by the Commission. Dan added that there will be a staff report prepared by Stan Nishimura submitted with the package that might include comments such as it not being necessary because of a repeat of statute. It will also depend on how the package is presented.

Coordination and Possible Overlap of Work by Workgroups: Ideally, progress reports of the workgroups would be posted on line that would enable the other groups to identify duplication of study.

It was suggested that the meeting template posted on the website be revised to include a box entitled "Items for coordination with other workgroups" that would quickly alert the need for other workgroup leaders to review.

ACTION ITEM: Dan Najera will facilitate the revision of the meeting template to include "Items for coordination with other workgroups" and a box to identify the workgroup(s) that need to review. Dan Najera will then forward the minutes, as appropriate, to the other workgroup leaders to ensure review by their workgroup. The workgroup leaders will be advised of the availability of this revised template when it is posted.

Format of Definitions Added: It appears that the workgroups are using different formats for adding definitions (alphabetical order, definition section, chapter level, or included at the end). Rick Terry noted that the IBC is structured differently than the CBC in regards to definitions; there is a master index at the front that refers the reader back to the specific section. That is the premise that the R-2, 6 workgroup is using. It was the consensus of the Core Committee participating in the conference call that the method being used by the R-2, 6 workgroup could serve as the model for the other workgroups to follow.

ACTION ITEM: This direction will be shared with all the workgroup leaders and all others, as appropriate.

Workgroups That Have Not Met To Date: Dan Najera stated that, for instance, the Fixed Guideway Transit Systems does not have leaders yet; this was an action item from the last conference call. Additionally, the I-3 Occupancy has not met yet, however, it is Dan's understanding that this group is combining their efforts with the other I Occupancy groups, of which Lorin Neyer serves as Co-Chair.

ACTION ITEM: Dan Najera was directed to contact the workgroup leaders to verify industry participation and to advise Kate Dargan and Chief Grijalva if no industry participation in a workgroup is determined.

Status of IRC Review: Kevin Reinertson reported that the HCD staff is concentrating their efforts into the IBC. In instances where references are made in the IBC to the IRC, for the most part those revisions are already contained in the IBC. There is one main reference that is contained in Chapter 1 which discusses the IRC and HCD has not worked on Chapter 1, as a whole, yet. It is unlikely, in this cycle, that the IRC will be ready for adoption at the same time as the IBC and the IFC.

Monitoring Distribution of Code Books: As a reminder, the workgroup leaders are responsible for maintaining a record of the distribution of the code books. There is a limit to the amount of code books available to each workgroup.

ACTION ITEM: Dan Najera will contact Ernie Paez (in the absence of Joe Garcia) in the SFM Monrovia office to ensure that the SFM staff has clear direction as to the rules of distribution of the code books.

Formatting of Proposals: Stuart Tom recalled that the workgroups were to ensure that every amendment clearly has a specific purpose and rationale. Stuart took it one step further by asking his group if they are aware of any technical, theoretical or empirical studies that addresses the issue and, if so, to identify. Chief Grijalva forwarded to the Core Committee, via email, a proposed model (using the B Occupancy ISOR as an example), for their review. Once this model is finalized, it will be posted on the OSFM website. Therefore, the workgroups will be completing the ISOR and the rationale for each code amendment; however, will not be completing the Nine-Point Criteria or the Form 399. It was stressed that when this model is finalized and posted/forwarded to the workgroup leaders, it should include clear direction that stand-alone amendments should have their own express terms, language, and a separate ISOR; anything that has to work together can be packaged together with one ISOR being prepared.

ACTION ITEM: Each Core Committee member was asked to review the proposed model of the ISOR (forwarded by Chief Grijalva via email) and provide their comments to the OSFM.

Work Progress for Chapter 35 and Article 90 by the SFM Fire Alarm Advisory Group: Dan Najera reported that the OSFM Fire Alarm Advisory Group is meeting in November and he will ask that the group review some of the fire alarm requirements. The same request for review will be made to the OSFM Automatic Extinguishing Systems Advisory Group.

ACTION ITEM: Dan Najera will ensure that any activities by OSFM Advisory Committees concerning the Code Adoption will be included with a reference in the OSFM Code Adoption web link.

Upcoming Meetings:

Next Core Committee Conference Call Meeting: The next conference call is scheduled for Tuesday, November 15, 2005, beginning at 10:30 a.m.

Buellton "Face to Face" Core Committee Meeting, December 5, 2005: Location will be finalized and Core Committee members will be notified of specific location and time, along with who will be asked to attend and the availability of conference call capabilities for those that cannot attend.

Steve suggested that the workgroup leaders provide a written status report beforehand and be available through conference call during a portion of the Buellton Meeting. There was consensus to this suggestion by the Core Committee.

ACTION ITEM: OSFM staff Dan Najera, Dee Tokimitsu and Penny Nichols will finalize meeting arrangements for Buellton and notify the Core Committee via email by November 4th of those arrangements and who will be asked to attend.

Core Committee Meeting in Sacramento, January 9, 10 and 11, 2006: This three-day meeting of the Core Committee will be held at the Office of the State Fire Marshal Headquarters Conference Room, 1131 S Street, Sacramento, California. During this meeting the Core Committee will review the proposed amendments.

*Meeting Notes Submitted by
Penny Nichols, Staff Services Analyst*

Approved by:

Daniel Najera
